

Appl. No. : 09/658,332
Filed : September 8, 2000

REMARKS

In response to the Office Action dated October 3, 2003, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following remarks. Claims 1-5 and 7 have been canceled without prejudice or disclaimer, Claim 6 has been amended, and new Claims 8-9 have been added. Therefore, Claims 6 and 8-9 are pending for examination.

The specific changes to the specification and the amended claims are shown above, in which the insertions are underlined while the ~~deletions~~ are stricken through.

Discussion of Rejections Under 35 U.S.C. § 101

In the Office Action, Claims 1, 3, 4 and 6 were rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter as reciting only an abstract idea. Claims 1, 3 and 4 have been canceled. Claim 6 has been amended to incorporate the limitations regarding a presentation dialog manager and screen display of canceled Claim 7. Applicant notes that Claim 7 was not rejected in the Office Action under 35 U.S.C. § 101. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. § 101 rejection of Claim 6. The patentability of Claim 6 with regard to 35 U.S.C. § 102(e) is discussed below.

Discussion of Rejections Under 35 U.S.C. § 102(e)

Claim 6 was rejected under 35 U.S.C. § 102(e) as being anticipated by Moran (U.S. Patent No. 6,430,542). Applicant respectfully submits that Claim 6, upon entry of the foregoing claim amendments, is patentable over the cited references, as discussed below.

To be anticipatory under 35 U.S.C. § 102, a reference must teach each and every element of the claimed invention. *See Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1379 (Fed. Cir. 1986). “Invalidity for anticipation requires that all of the elements and limitations of the claim are found within a single prior art reference. ...There must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention.” *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565 (Fed. Cir. 1991).

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Claim 6 is directed to a multi-user, database oriented information management system which is coupled to an investment advisor computer network. The limitations of Claim 6 are supported by the Figures 8A-B and 9A-C and the accompanying discussion on pages 11-15 of the application as filed.

In independent Claim 6, at least one database is hosted on at least one server such that database information is available to the investment advisor firm as well as associated entities such as broker/dealers and custodian banks. Client transaction information and user profiles are stored in the database(s). A transaction manager separates transaction requests into a presentation layer and a logic execution layer and executes the layers concurrently to improve execution speed. A user profile and session manager resolves conflicting transaction requests of users. The applicant respectfully submits that Moran does not teach or suggest at least these aspects of Claim 6. Moran teaches a series of local databases which may contain different information, and which require data transfer from user to user to maintain (see Figure 2 for example). The present invention uses databases, user profiles, and transaction and session managers to avoid this "portage" common in the prior art.

Moran provides no teaching or suggestion of any of the techniques of Claim 6 which are implemented in the inventive system of the present application to make a multi-user, simultaneously available database system operate efficiently and without error.

In view of the foregoing, Applicant respectfully submits that Claim 6 is patentable over the cited references. Accordingly, Applicant respectfully requests prompt allowance of Claim 6.

As Claims 8-9 are dependent on the above-discussed independent Claim 6, Applicant respectfully submits that this claim is also patentable over the cited references for at least the reasons indicated above, and for their additional features. Accordingly, Applicant respectfully requests prompt allowance of Claims 6 and 8-9.

CONCLUSION

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims, the reasons therefore, and arguments in support of the patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are made in order to

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improve the clarity of claim language, to correct grammatical mistakes or ambiguities, or to otherwise improve the capacity of the claims to particularly and distinctly point out the invention to those of skill in the art.

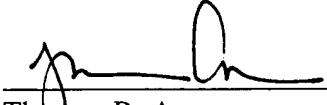
In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/5/04

By: 

Thomas R. Arno
Registration No. 40,490
Attorney of Record
Customer No. 20,995
(619) 235-8550

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